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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 NICHOLAS OLIVA; JOAN OLIVA,
9 individuals,

2:08-CV-01559- PMP-LRL

10 Plaintiffs,

ORDER

11 vs.

12 NATIONAL CITY CORPORATION;
13 NATIONAL CITY MORTGAGE
14 COMPANY; NATIONAL CITY
15 BANK OF INDIANA; MICHAEL
16 DEMING, individually and as an
employee/agent of National City;
VIVIAN FURLOW, individually and
as an employee/agent of National City,

17 Defendants.
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19 Before the Court for consideration is Defendant National City Mortgage
20 Company's fully briefed Motion for Costs and Attorney's Fees (Doc. #116). The
21 contentious history of this case is chronicled in the filings of the Parties with respect
22 to the instant motion. Having considered the foregoing, and being familiar with the
23 entire course of this litigation, the Court finds that the costs claimed by Defendant
24 National City Mortgage Company of \$9,675.83 are reasonable. The Court further
25 finds, however, that Defendant's Motion for Attorneys' Fees shall be denied and that
26 each Party should bear their own Attorneys' Fees.

1 **IT IS THEREFORE ORDERED** that Defendant National City Mortgage
2 Company's fully briefed Motion for Costs and Attorney's Fees (Doc. #116) is
3 **GRANTED** to the extent that Defendant National City Mortgage Company shall
4 recover from Plaintiffs Nicholas Oliva and Joan Oliva the sum of \$9,675.83 in costs,
5 such sum to be payable by Plaintiffs to Defendants within sixty (60) days from the
6 date of this Order.

7 **IT IS FURTHER ORDERED** that Defendant National City Mortgage
8 Company's Motion for Attorneys' Fees (Doc. #116) is **DENIED**.

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10 DATED: March 14, 2011.

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13 PHILIP M. PRO
14 United States District Judge
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